GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Endowments Department – Making the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments (transfer of office holders and servants) Rules, 2020 under the provisions of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 (Act No.30 of 1987) – Final Notification – Orders - Issued.

REVENUE (ENDOWMENTS-I) DEPARTMENT

G.O.MS.No. 301 Dated: 12-10-2020

Read the following :-

1) G.O.Ms.No.473, Revenue (Endts-I) Dept., Dated.18.07.2000.
2) From the Commissioner of Endowments, A.P., Vijayawada, Lr. in Rc.No.DP1/25026/16/2019, Dated.01.04.2019.
3) G.O.Ms.No.346, Revenue (Endts-I) Dept., Dated.30.07.2019.
4) From the Commissioner of Endowments, A.P. Lr in Rc.No. DP1/25026 /16/ 2019 , Dated.24/10/2019 & 03-06-2020.

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ORDER:-

Whereas, in the G.O. third read above, Government have issued preliminary notification duly notifying the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments (Transfer of office holders and servants) Rules, 2019;

And whereas, certain objections/suggestions have been received from various individuals/Associations for consideration. On the said objections/ suggestions, the Special Commissioner of Endowments has furnished detailed remarks in the reference fourth read above.

Now, therefore, the Government after careful examination, have decided to issue final notification in the matter.

Accordingly, the following Notification will be published in the Extraordinary issue of the Andhra Pradesh Gazette, dated.12-10-2020.

FINAL NOTIFICATION

In exercise of the powers conferred by sub- section (1) of section 153 read with section 39 and sub-section (1) of section 29 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act,1987 (Act No. 30 of 1987) and in supersession of rules made if any on the subject matter earlier, the Government hereby make the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments (Transfer of office holders and servants) Rules, 2020, as the same has been previously published in part-I Extraordinary No.533 of the Andhra Pradesh Gazette, dated 2nd August, 2019 as required under sub-section (1) of section 153 of the said Act vide G.O.Ms.No.346, Revenue (Endts.I) Department, Dated.30-07-2019.

R U L E S

1. Short title: These Rules may be called the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments (Transfer of office holders and servants) Rules, 2020.

2. Application: These rules shall be applied only to the administrative and technical staff working in 6(a) (b)(c) and (d) institutions under the purview of the Endowments Department in the State of Andhra Pradesh.

(P.T.O)

3. Unit of Transfer: The units for the purpose of transfer of office holders and servants attached to the Charitable or Religious Institutions or Endowments shall be as follows:

(a) For the purpose of transfer of employees working in the temples being administered by the Executive Officer's in the cadre of Regional Joint Commissioner's & Deputy Commissioner's.

(i) For transfer of Executive Engineers entire State shall be considered as a single unit.

(ii) In case of transfer of Assistant Executive Officer's, Deputy Executive Engineer's,-

Unit-I: The Temples being administered by Executive Officers in the cadre of Regional Joint Commissioner's & Deputy Commissioner's in Visakhapatnam Zone (Zone-I) & Kakinada Zone (Zone-II).

Unit-II: The Temples being administered by Executive Officers in the cadre of Regional Joint Commissioner's & Deputy Commissioner's in Guntur Zone (Zone-III) & Kurnool Zone (Zone-IV).

(iii) In case of employees in the cadre of Assistant Engineer's, Superintendent's, Senior Assistant's, Junior Assistant's, Draftsman, Work Inspector and Sanitary Inspector,-

Unit-I: The Temples being administered by Executive Officers in the cadre of Regional Joint Commissioner's & Deputy Commissioner's in Visakhapatnam Zone (Zone-I) (Srikakulam, Vizianagaram & Visakhapatnam).

Unit-II: The Temples being administered by Executive Officers in the cadre of Regional Joint Commissioner's & Deputy Commissioner's in Kakinada Zone (Zone-II) (East Godavari, West Godavari & Krishna).

Unit-III: The Temples being administered by Executive Officers in the cadre of Regional Joint Commissioner's & Deputy Commissioner's in Guntur Zone (Zone-III) (Guntur, Prakasam & Nellore).

Unit-IV: The Temples being administered by Executive Officers in the cadre of Regional Joint Commissioner's & Deputy Commissioner's in Kurnool Zone (Zone-IV) (Kurnool, Kadapa, Anantapur & Chittoor).

(b) In 6(a) institutions other than the institutions being administered by the Executive Officer's of Regional Joint Commissioner's & Deputy Commissioner's.

(i) In case of Superintendent and Senior Assistant

Unit-I:6(a) institutions in Zone-I (Srikakulam, Vizianagaram & Visakhapatnam)

Unit-II: 6(a) institutions in Zone-II (East Godavari, West Godavari & Krishna)

Unit-III: 6(a) institutions in Zone-III (Guntur, Prakasam & Nellore)

Unit-IV: 6(a) institutions in Zone-IV (Kurnool, Kadapa, Anantapur & Chittoor)

(ii) In case of Junior Assistants and other equivalent Cadre of employees and Record Assistant.

Unit-I: Srikakulam District – 6(a) Institutions in Srikakulam District

(contd..)

Unit-II: Vizianagaram District – 6(a) Institutions in Vizianagaram District

Unit-III: Visakhapatnam District – 6(a) Institutions in Visakhapatnam District

Unit-IV: East Godavari District – 6(a) Institutions in East Godavari District

Unit-V: West Godavari District – 6(a) Institutions in West Godavari District

Unit-VI: Krishna District – 6(a) Institutions in Krishna District

Unit-VII: Guntur District – 6(a) Institutions in Guntur District

Unit-VIII: Nellore District – 6(a) Institutions in Nellore District

Unit-IX: Prakasam District – 6(a) Institutions in Prakasam District

Unit-X: Kurnool District – 6(a) Institutions in Kurnool District

Unit-XI: Kadapa District – 6(a) Institutions in Kadapa District

Unit-XII: Anantapur District – 6(a) Institutions in Anantapur District

Unit-XIII: Chittoor District – 6(a) Institutions in Chittoor District

(c) In case of employees working in 6(b) temples.

(i) In case of Senior Assistants, or equivalent cadre of Employees

Unit-I: 6(b) institutions in Zone-I

Unit-II: 6(b) institutions in Zone-II

Unit-III: 6(b) institutions in Zone-III

Unit-IV: 6(b) institutions in Zone-IV

(ii) In case of employees in the cadre of Junior Assistant and equivalent cadre and Record Assistants

Unit-I: Srikakulam District – 6(b) Institutions in Srikakulam District

Unit-II: Vizianagaram District – 6(b) Institutions in Vizianagaram District

Unit-III: Visakhapatnam District – 6(b) Institutions in Visakhapatnam District

Unit-IV: East Godavari District – 6(b) Institutions in East Godavari District

Unit-V: West Godavari District – 6(b) Institutions in West Godavari District

Unit-VI: Krishna District – 6(b) Institutions in Krishna District

Unit-VII: Gunttur District – 6(b) Institutions in Guntur District

Unit-VIII: Nellore District – 6(b) Institutions in Nellore District

Unit-IX: Prakasam District – 6(b) Institutions in Prakasam District

Unit-X: Kurnool District – 6(b) Institutions in Kurnool District

Unit-XI: Kadapa District – 6(b) Institutions in Kadapa District

Unit-XII: AnantapurDistrict – 6(b) Institutions in Anantapur District

Unit-XIII: Chittoor District – 6(b) Institutions in Chittoor District

(p.t.o)

Note : Zone-I:Comprising Srikakulam, Vizianagaram and Visakhapatnam Districts.

Zone-II:East Godavari, West Godavari and Krishna Districts.

Zone-III: Gunturu, Prakasham and Nellore Districts.

Zone-IV:Chittoor, Cuddapah, Ananthapur and Kurnool Districts.

4. Competent authority:- The competent authority to transfer the employees of Endowments institutions shall be-

(i) The Commissioner in case of employees of 6(a) & 6(d) institutions.

(ii) The Deputy Commissioner's in case of 6(b) institutions.

(iii) There shall not be any transfer or deputation of employees from or to any 6(c) institutions.

5. Period of Transfer: No office holder or servant attached to a Charitable and Religious Institutions or Endowment shall ordinarily be transferred within a period of three years from the date of joining duty in such institutions or Endowments, unless such transfer is necessary in the interest of the institution or Endowment concerned for the reason to be recorded in writing.

No transfer shall be made from one institution to another institution exceeding the cadre strength accorded by the competent authority to the particular institution. Excess posts if any in existence exceeding the cadre strength shall be repatriated to their parent institution keeping in view of the financial burden on such temples.

Only the employees who were appointed in the sanctioned posts or approved cadre strength posts by the competent authority as per the rules framed earlier in G.O.Ms.No.888 Dated.08.12.2000, are entitled for transfer from one institution to another.

6. Norms for transfer:

(a) Lien of services from Endowments department in all cadres shall be restricted keeping in view of cadre strength fixed to the particular institution / temple by the competent authority as per work load.

(b) No transfers shall be made during the ban period imposed by the Government from time to time.

(c) While effecting transfer of employees, Spouse cases, medical grounds, left over service for superannuation and mutual transfer applications can be taken into consideration for the purpose of priority.

7. Joining time and TTA: Every office holder or servant attached to a Charitable and Religious Institution or Endowment shall on transfer be eligible to joining time and transfer travelling allowances as admissible in case of Government servants of the corresponding cadre under the Andhra Pradesh manual of special pay and allowances. The pay for the period of transition and transfer travelling allowances shall be paid from the funds of the institution or Endowment from which the office holder or servant is transferred.

8. Pay and allowances: An office holder or servant on transfer to another institution or Endowment, shall continue to draw the same pay and allowances which are having been drawn by him in his parent institution.

(Contd..)

9. Authority to Grant increment and leave: The Executive Officer of the institution or Endowment where the office holder or servant is working on transfer shall be the authority competent to grant increment and leave in accordance with the rules in force.

10. Payment of leave salary: The leave at the credit of the office holder or servant shall not lapse on account of transfer and accumulated to his credit at the office holder or servant shall be eligible to draw leave salary from the institution or Endowment at which he is working while going on leave whether or not that the said leave was earned in the said institution, or not and shall be accorded permission for encashment of earned leave.

11. Lien : Every office holder or servant shall continue to hold his lien in his parent institution or Endowment for all purposes not withstanding his transfer to other institution.

12. Seniority: The seniority of the office holder or servant in the class or category existing at the time of transfer in his parent institution shall not be affected and his claim for promotion shall be taken into consideration by the executive authority of his parent institution or endowment while making any promotion to a higher cadre, treating as if he is continuing in his parent institution only.

If any promotion is given to an office holder who is working at other institution on transfer such promotion shall be given effect at his / her transferred place without any discretion. If no such post is available in the cadre strength of such institution he / she shall be repatriated to his parent institution without any further delay.

The vacancy on the cause of transfer of an employee to other institution shall not be filled either by recruitment in the particular temple or by promotion with the existing staff.

If it is so, necessary for that particular post of the same cadre employee of another institution of the same cadre temple shall be transferred into that post.

13.Counting of Service: The service of an office holder or servant rendered in the place of transfer shall be always counted for the purpose of probation, leave, seniority, promotion, gratuity, pension etc., in his parent institution.

14. Privileges or Concessions:

(i)Promotions and implementation of pay revision from time to time, shall be effected in parent institution.

(ii) Pay and allowances, periodical increments, LTC and TA bills, Special grade and special promotion scales, Transfer TA claim, etc., shall be effected in working (Transferred) institution.

15. Disciplinary control: The Executive authority of the institution or endowment to which an office holder or servant is transferred shall exercise disciplinary control over such transferee. But the power of executive authority in respect of transferee is regulated to the extent of initiating disciplinary proceedings and inflicting punishment up to issuance of memo and calling for explanation and the further proceedings of the disciplinary action shall be under the control of the Executive officer of his parent institution only.

(p.t.o)

The Appeal of the office holder or servant before the Trust Board of the parent institution U/s 38 (3)(b) of the Andhra Pradesh Charitable and Hindu religious and Endowments Act, 1987 (Act No.30 of 1987) shall be reviewed by the Trust board of the parent institution after calling for the report and record from the Executive officer of the transferred employee.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M GIRIJA SHANKAR
SECRETARY TO GOVERNMENT (FAC)

To:
The Commissioner, Printing, Stationery & Stores, purchase (Printing wing) Department, Vijayawada for publication in the Andhra Pradesh Gazette. He is requested to supply (100) copies of the Government order to the Revenue (Endts-I) Department, Secretariat, Velagapudi, Guntur District.
The Special Commissioner of Endowments, Andhra Pradesh, Vijayawada.
Copy to:
The OSD to Minister for Endowments.
P.S. to Secretary to Government (Endowments).
The General Administration (Ser.D) Department.
The Law (H) Department.
The President, A.P. Major Temple Employees Welfare Federation, (Reg. No.695/2015).
SF/SC.

// FORWARDED:: BY ORDER //

SECTION OFFICER